

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 25-40 are currently pending. Claims 37-40 are hereby added. Claims 25, 30, 35, and 36, which are independent, are hereby amended. Support for this amendment is provided throughout the Specification, specifically at pages 15 and 16-18 and Figure 10. Claims 1-24 were previously canceled without prejudice or disclaimer of subject matter.

No new matter has been introduced. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §102(e) and §103(a)

Claims 26-29 were objected to because of informalities.

Claims 25, 27-30, and 32-36 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 5,552,833 to Henmi, et al. (hereinafter, merely “Henmi”).

Claims 26 and 31 were rejected under 35 U.S.C. §103(a) over Henmi and further in view of U.S. Patent No. 5,914,712 to Sartain, et al. (hereinafter, merely “Sartain”).

III. RESPONSE TO REJECTIONS

Claims 26-29 have been amended, hereby obviating objections due to informalities.

Claim 25 recites, *inter alia*:

“A reception device for controlling a recording module,
comprising:

...receiving means for receiving a particular format file
transmitted through a network; said particular format file
including text based control commands that determine
behaviors of said recording module.” (Emphasis added)

As understood by Applicant, Henmi relates to a method and system in which television-program table information is transmitted using teletext formats in a coding transmission system. On the reception side, reservation of video recording with an image recording apparatus is effected by making use of the transmitted television program table information.

As understood by Applicant, Sartain relates to a distribution system and method that distributes digital video programs to a predetermined group of subscribers. The video programs are converted into a digital format in a central site and then distributed to a remote site.

The Office Action relies on Henmi to reject the above-identified features of claim 25. Specifically the Office Action cited column 4, lines 1-14, column 6, lines 4-14, and column 11, line 54-column 6, line 12 of Henmi to reject Applicant’s claimed features of “receiving means for receiving a particular format file transmitted through a network; said particular format file including text based control commands that determine behaviors of said recording module”, as recited in claim 25 (emphasis added).

Applicant respectfully traverses because while Henmi indeed discloses that “channel information, date information, time information, program code information, and title information are transmitted using teletext of coding transmission system” (Henmi, column 4, lines 1-14); Applicant submits that Henmi’s teletext is **descriptive information of programs** in contrast with the claimed **text based commands** that determine behaviors of said recording module. Applicant respectfully submits that the disclosure of descriptive information of programs, as described in Henmi, fails to disclose or suggest text based commands as recited in claim 25.

Therefore, Applicant submits that independent claim 25 is patentable.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 25, independent claims 30, 35, and 36 are also patentable.

Therefore, Applicants submit that independent claims 25, 30, 35 and 36 are patentable.

IV. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited references, it is respectfully requested that the Examiner specifically indicate those portions of the references providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Applicant respectfully submits that all of the claims are in condition for allowance and request early passage to issue of the present application.

Respectfully submitted,

FROMMERM LAWRENCE & HAUG LLP
Attorneys for Applicant

By 
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800